

(d) The criminal history record information obtained under Subsection (a-4) is for the exclusive use of the court or Guardianship Certification Board, as appropriate, and is privileged and confidential. The information may not be released or otherwise disclosed to any person or agency except on court order or consent of the person being investigated. The county clerk or Guardianship Certification Board may destroy the criminal history record information after the information is used for the purposes authorized by this section.

(e) The court, as that term is defined by Section 601, Texas Probate Code, shall use the information obtained under Subsection (a), (a-4)(1), or (a-5) only in determining whether to:

(1) appoint, remove, or continue the appointment of a private professional guardian, a guardianship program, or the Department of Aging and Disability Services; or

(2) appoint any other person proposed to serve as a guardian under Chapter XIII, Texas Probate Code, including a proposed temporary guardian and a proposed successor guardian, other than the ward's or proposed ward's family member or an attorney.

(f) Criminal history record information obtained by the Guardianship Certification Board under Subsection (a-4)(2) may be used for any purpose related to the issuance, denial, renewal, suspension, or revocation of a certificate issued by the board.

(g) A person commits an offense if the person releases or discloses any information received under this section without the authorization prescribed by Subsection (c) or (d). An offense under this subsection is a Class A misdemeanor.

(h) The county clerk may charge a \$10 fee to recover the costs of obtaining criminal history information records authorized by Subsection (a).

(i) This section does not prohibit the Department of Aging and Disability Services from obtaining and using criminal history record information as provided by other law.

SECTION 5. The change in law made by this Act:

(1) by the amendment of Subsection (a), Section 411.1386, Government Code, other than the addition of Subdivision (5) to that subsection, is made to conform to Subsection (a), Section 698, Texas Probate Code, as that section existed immediately before the effective date of this Act;

(2) by the amendment of Subsections (b) and (c), Section 411.1386, Government Code, and the addition of Subsection (e), Section 411.1386, Government Code, other than the addition of Subdivision (2) and the reference to Subdivision (1), Subsection (a-4), and Subsection (a-5), Section 411.1386, Government Code, is made to conform to Subsections (b) and (c), Section 698, Texas Probate Code, as those subsections existed immediately before the effective date of this Act; and

(3) by the addition of Subsection (g), Section 411.1386, Government Code, other than the addition of the reference to Subsection (d), Section 411.1386, Government Code, is made to conform to Subsection (d), Section 698, Texas Probate Code, as that subsection existed immediately before the effective date of this Act.

SECTION 6. This Act takes effect September 1, 2007.

Passed the Senate on March 28, 2007: Yeas 30, Nays 0; the Senate concurred in House amendments on May 15, 2007: Yeas 31, Nays 0; passed the House, with amendments, on May 11, 2007: Yeas 144, Nays 0, two present not voting.

Approved June 15, 2007.

Effective September 1, 2007.

CHAPTER 362

S.B. No. 295

AN ACT

relating to the administration of polygraph examinations to certain officers and employees of the Department of Public Safety of the State of Texas.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Subchapter A, Chapter 411, Government Code, is amended by adding Section 411.00741 to read as follows:

Sec. 411.00741. POLYGRAPH EXAMINATIONS FOR CERTAIN OFFICERS AND EMPLOYEES. (a) The department may require a commissioned or noncommissioned officer or employee of the department to submit to the administration of a polygraph examination administered by a polygraph examiner if:

(1) the officer or employee is assigned to a position that requires the officer or employee to work with a federal agency on national security issues; and

(2) the federal agency requires that the officer or employee submit to a polygraph examination.

(b) If an officer or employee does not submit to the administration of a polygraph examination required under Subsection (a), the department may, as applicable:

(1) remove the officer or employee from an assignment to a position described by Subsection (a)(1); or

(2) refuse to assign the officer or employee to that position.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2007.

Passed the Senate on March 14, 2007: Yeas 30, Nays 0; passed the House on May 17, 2007: Yeas 144, Nays 0, two present not voting.

Approved June 15, 2007.

Effective June 15, 2007.

CHAPTER 363

S.B. No. 303

AN ACT

relating to health care coverage for a child in a suit affecting the parent-child relationship.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 154.062, Family Code, is amended by amending Subsection (d) and adding Subsection (e) to read as follows:

(d) The court shall deduct the following items from resources to determine the net resources available for child support:

(1) social security taxes;

(2) federal income tax based on the tax rate for a single person claiming one personal exemption and the standard deduction;

(3) state income tax;

(4) union dues; and

(5) expenses for the cost of health insurance or cash medical support [coverage] for the obligor's child ordered by the court under Section 154.182.

(e) In calculating the amount of the deduction for health care coverage for a child under Subsection (d)(5), if the obligor has other minor dependents covered under the same health insurance plan, the court shall divide the total cost to the obligor for the insurance by the total number of minor dependents, including the child, covered under the plan.

SECTION 2. Subsections (c), (d), and (e), Section 154.181, Family Code, are amended to read as follows: